Date 7/2/99

IN RE: PETITION FOR ADMIN. VARIANCE
W/S of West Geipe Road, 22' E of
the centerline of Windy's Run Road
1st Election District
1st Councilmanic District
(2211 West Geipe Road)

Russell F. & Rita M. Cauley Petitioners \* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

<sup>k</sup> CASE NO. 99-489-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an administrative variance filed by Russell F. and Rita M. Cauley, property owners, for that property known as 2211 West Geipe Road in the Catonsville area of Baltimore County. The Petitioners herein seek a variance from Sections 1B01.2.C.1.b and 301.1 of the Baltimore County Zoning Regulations (BCZR) to permit an 18 ft. rear setback in lieu of 22.5 ft. for an open deck and to amend the last approved FDP of Caton Glen. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2nd day of July, 1999 that a variance from Sections 1B01.2.C.1.b and 301.1 of the Baltimore County Zoning Regulations (BCZR) to permit an 18 ft. rear setback in lieu of 22.5 ft. for an open deck and to amend the last approved FDP of Caton Glen, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

のと、西川大江(西洋大河流流)大学



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

July 2, 1999

Mr. & Mrs. Russell F. Cauley 2211 West Geipe Road Catonsville, Maryland 21228

Re: Petition for Administrative Variance

Case No. 99-489-A

Property: 2211 West Geipe Road

Dear Mr. & Ms. Cauley:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

**Deputy Zoning Commissioner** 

TMK:raj Enclosure



CASE NO.

REU 9115198

## **Petition for Administrative Variance**

## to the Zoning Commissioner of Baltimore County

for the property located at 221/ WEST BEIRE RPAD which is presently zoned

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* * * *			
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of the zoning regulations of Ba	ltimore Co	unty, to the zoni	ng law of Baltimore County, for the reasons indicated on t
of this petition form.			
			· · ·
Property is to be posted and ad I, or we, agree to pay expenses o regulations and restrictions of Bal	f above Vari	iance, advertisino	, posting, etc. and further agree to and are to be bounded by the ant to the zoning law for Baltimore County.  I/We do solemnly declare and affirm, under the penalt
			perjury, that I/we are the legal owner(s) of the property is the subject of this Petition.
Contract Purchaser/Lesse	e <u>e:</u>		Legal Owner(s): RUSSELL F. CAULEY
Name - Type or Print			Name - Type or Print Russell F. Cauley
Signature			Signature .  RITA M. CAULEY
Address		Telephone No.	Name-Type or Print Puta M. Cauley
City	State	Zip Code	Signature 4/
Attorney For Petitioner:			2211 WEST GEIPE ROAD 747
1 1			Address Tele
Name - Type or Print			CATONSVILLE MD 2/3 City State
C - Type of Fillit			<b></b>
Signature			Representative to be Contacted:
8			RUSSELL F. CAULEY
Company			Name 410
	<del></del>	Telephone No.	Address Telepi CATONSVILLE MD 2/o
Articles		p	F
Addess			CATONSVILKE MID alla

Estimated Posting Date \_

Zoning Commissioner of Baltimore County

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	2211 WEST	GEIPE ROAD	
mat the Amant(s) does do presently reside at	Address CATONSVILL	<del></del>	21228
	City	State	Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardshift we intend to Build AN LISTER ABOVE. WE HAVE MUST BE MAINTAINER BY AND THE ADTACENT PROPERTY INTENDE ONLY 18 FT. To THE LIMIT. THE WIDTH OF THE DESTRUMENT OF THE DESTRU	wing are the facts upon p or practical difficulty):  OPEN DELK ON BEEN Told That Perween The Fi DETY LINE 7	THE BACK OF A DISTANCE OF ARTHEST END THE DOCK AS WE THE RES	quest for an Administrative  OUR RESIDENCES  OF JA /2 FOOT  OF THE DOCK  PLANNEL WOULD
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a Gardan Mr. Cauley	additional information.	Affiant(s) will be require  Lussel F. CAU  SSELL F. CAU	
Signature	Signatur	e	
RITA M. CAULEY	Ku-	SSELL F. CAU	KEY
Name - Type or Print	Name -	Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIN	IORE, to wit:		
of Maryland, in and for the County aforesaid, pe  RITA M.Cauley and russell f	June , 1999 rsonally appeared	,, before me, a	a Notary Public of the State
the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set for	factorily identified to me	as such Affiant(s), and to the best of his/her/th	I made oath in due form of eir knowledge and belief.
AS WITNESS my hand and Notarial Seal			
·	(P) (1)	· F./1.	
June 2,1999	(mel	in hope	nno
Date	Motary Public	Tanaa	1 2001
<del>-</del>	My Commission	n Expires <u>January</u>	1, ZUU1
REV 09[15]98			

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

competent to testify thereto in the event that a p	ublic hearing is scheduled in the future with regard t	hereto.
That the Affiant(s) does/do presently reside at	Address GEIPE ROAD	
	CATONSVILLE MD City State	21228
		Zîp Code
Variance at the above address (indicate hardshi	wing are the facts upon which I/we base the requer ip or practical difficulty):	
WE INTEND TO BUILD AN	OPEN DECK ON THE BACK OF OU	R RESIDENCE
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INTENDED USAGES.	,,	
/NTONE CO USAGES 8		
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is filed, Affiant(s) will be required to additional information.	o pay a reposting and
Rita M. Careley Signature	Signature  RUSSELL F. CAULE	4/
	Signature	
RITA M. CAULEY	RUSSELL F. CAULE	<u> </u>
Name - Type or Print	Name - Type or Print	•
STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:	
I HEREBY CERTIFY, this 2nd day of of Maryland, in and for the County aforesaid, pe	June,1999 , before me, a No	otary Public of the State
RITA M.CAULEY AND RUSSE		
the Affiant(s) herein, personally known or satisf	factorily identified to me as such Affiant(s), and ma	ide oath in due form of
law that the matters and facts hereinabove set for	orth are true and correct to the best of his/her/their h	mowledge and belief.
AO METATOR and bearing Conf		
AS WITNESS my hand and Notarial Seal		
June 2,1999	Chrolin E Starts	~~
Date	Notary Public	-
-	My Commission Expires January 1,2	:001



## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 221/ WEST GEIRE RPAD which is presently zoned DR 5.5

I/We do solemnly declare and affirm, under the penalties of

Zoning Commissioner of Baltimore County

Date

This Petition shall be file	d with the D	epartmen	t of Permits	and Develo	pment Mana	gement.	The u	ndersigned,	legai
owner(s) of the property sit	uate in Baltin	nore Coun	ty and which i	is described	in the descrip	otion and	plat atta	ached heret	o and
made a part hereof, hereby	petition for a	i vanance	mom Section(	(s) 1001		r .		( 20 1	

1BOI. 2. C. I. b. and 301. 1. to permit an 18-ft rear setback in lieu of 22\$ ft for an open deck, and to amond the last APPROVED FDP OF CATON GLEN

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Signature Telephone No. Address City State Zip Code Attorney For Petitioner: Name - Type or Print Representative to be Contacted: Signature Company Telephone No. Address Address Zip Code City State A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning this \_\_\_\_ day of \_\_\_\_\_, that the subject many regulations of Baltimore County and that the property be reposted.

Reviewed By MIK

Estimated Posting Date \_

99-489-A

CASE NO.

REU 9/15/98

#### Zoning Description

Zoning description for: 2211 West Geipe Road

Catonsville, MD 21228

Beginning at a point on the north side of West Geipe Road which is 40 feet wide at the distance of 22 feet east of the centerline of the nearest improved intersecting street Windy's Run Road which is 30 feet wide. Being lot #3, in the subdivision of Caton Glen as recorded in Baltimore County Plat Book S.M. #67, Folio #124, containing 5401 square feet. Also known as 2211 West Geipe Road and located in the 1st Election District and 11th Precinct, I \*\* Council District.

99.489-A

DISTRIBUTION NHITE: CASHIER PINK.	FOR: 030 - 5,0 /	FROM: O10-RO Val - Wall Wort Cope Rd	By min /com	DATE 6/3/91	BALTIMORE COUNTY, MARYLAN OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT
PINK - AGENCY	ke & h H	La Car	*		TY, MARY FINANCE RECEIPT
YELLOW - CUSTOMER	030-50/kg h. H. (-# 50, "	Russell F. Cacky - 2211 6	AMOUNT \$ /00, 000	ACCOUNT 01-6150	
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## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 489 -A Address 2211 West Geipe Roal					
Contact Person: Mitch Kellinan / Lloyd Maxicy Phone Number: 410-887-3391					
Filing Date: $\frac{C/3/99}{}$ Posting Date: $\frac{C/3/99}{}$ Closing Date: $\frac{C/28/99}{}$					
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.					
1. <a href="POSTING/COST">POSTING/COST</a> : The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.					
<ol> <li>DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.</li> </ol>					
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.					
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.					
(Detach Along Dotted Line)					
Petitioner: This Part of the Form is for the Sign Poster Only					
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT					
Case Number 99- 489 -A Address 22/1 West Geipe Roel					
Petitioner's Name Russell F. Cauley Telephone (410) 747-2117					
Posting Date: 6/13/99 Closing Date: 6/25/99					
Wording for Sign: To Permit an 18-ft rear soffact in lieu of 22 2 ft					
for an open deck and to amond the last approved FDP of Caton					
Glen					

#### APPROVED SIGN POSTERS

Stacy Gardner Shannon-Baum Signs, Inc. 105 Competitive Goals Drive Eldersburg, MD 21784

Telephone: 410-781-4000 Toil Free: 800-368-2295 Fax: 410-781-4673

Richard Hoffman 904 Dellwood Drive Fallston, MD 21047

Telephone: 410-879-3122

Garland E. Moore 3225 Ryerson Circle Baltimore, MD 21227 Telephone: 410-242-4263 Mobile: 410-382-4470

Tom Oale 325 Nicholson Road Baltimore, MD 21221 Telephone: 410-687-8405 Mobile: 410-262-8163

Fax: 410-687-4381

Patrick M. O'Keefe, Sr. 523 Penny Lane Hunt Valley, MD 21030 Telephone: 410-666-5366 Cell: 410-905-8571 Fax: 410-628-2574

Linda M. Jones Daft-McCune-Walker, Inc. 200 East Pennsylvania Avenue Towson, MD 21286

Telephone: 410-296-3333 Fax:

410-296-4705

410-882-2469

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST BE ALSO BE DONE BY ONE OF THESE APPROVED POSTERS. IF YOU WISH TO SELECT A POSTER NOT SHOWN ON THE LIST ABOVE, PRIOR APPROVAL BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.

WCR - Revised 10/21/98

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

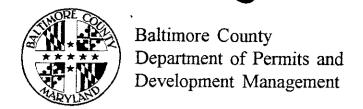
#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

#### OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:	
Item Number or Case Number: 99-489-A	
Petitioner: RUSSELL F. CAULEY	
Address or Location: 2211 WEST GEIPE ROAD	CATONSVILLE, 4D 2122
PLEASE FORWARD ADVERTISING BILL TO:	
Name: Russell F. Caucey	
Address: 22// WEST GEIPE ROAD	w
CATONSVILLE, MD 31228	
Address: <u>23// WEST GEIPE ROAD</u> <u>CATONSVILLE</u> , MD 2/288  Telephone Number: <u>410-747-2117</u>	



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

June 29, 1999

Mr. Russell F. Cauley 2211 West Geipe Road Catonsville, MD 21228

Dear Mr. Cauley:

RE: Case No.: 99-489-A, Petitioner: Russell F. Cauley,

Location: 2211 West Geipe Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on June 13, 1999.

The Zoning Advisory Committee (ZAC), which consists representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures

PYUS

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

Date: June 28, 1999

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

**SUBJECT:** Zoning Advisory Petitions

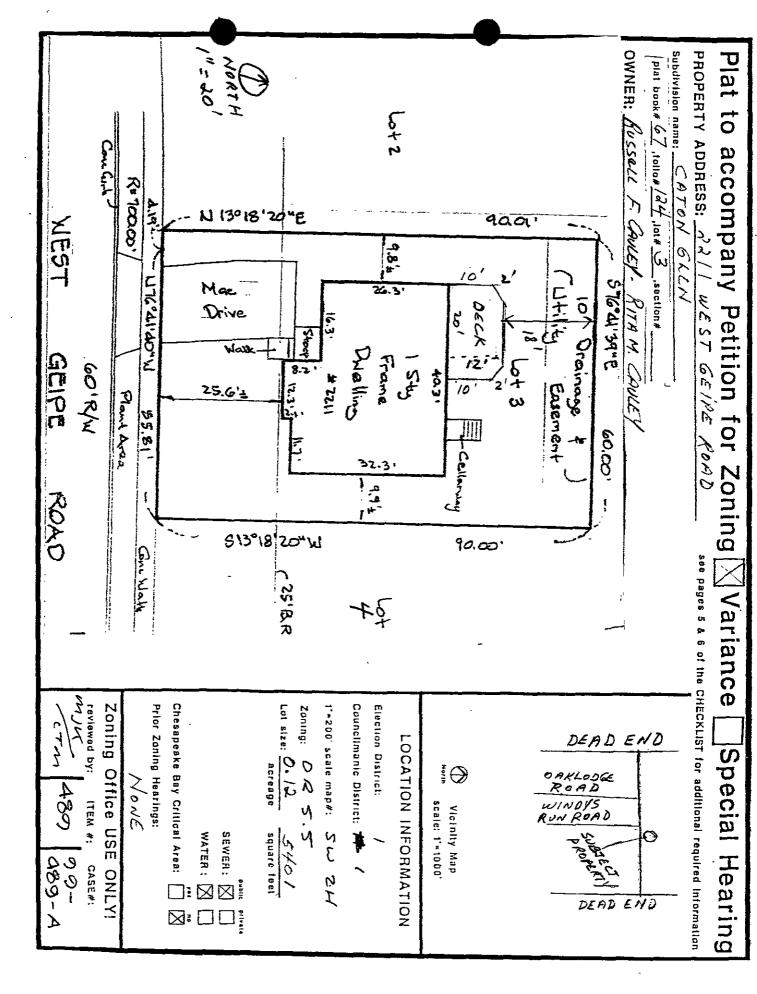
The Office of Planning has no comment on the following petition(s):

Item No(s): 489 and 499

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:(

AFK/JL



#489 5 W Z-H 11=2001 \$ 4,000 BR BR-BR GEORGE \$5,000 F. BRAGG SCHOOL DRIVE WESTCHESTER BR D.R. 3.5 D.R. 5.5 489 \$6,000

VIEW FROM BACK OF HOUSE- PROPERTY ANTAGENT

